

#3  
512 Rec'd PCT/PTO 07 MAY 1999

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: WOLF-GEORG FORSSMANN ET AL. (PCT)  
PCT NO.: PCT/EP97/04396 FILED: AUGUST 13, 1997  
SERIAL NO.: 09/242,254  
TITLE: A METHOD FOR DETECTING THE CONDITION OF AN  
ORGANISM THROUGH THE MEASUREMENT OF PEPTIDES

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

ATTN: BOX PCT - MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the "Notification of Missing Requirements...", submitted herewith is the duly executed DECLARATION, along with a check in the amount of \$65.00, to cover the surcharge for the late filing of this document. A copy of the Small Entity Declaration which was filed on April 13, 1999 is also enclosed.

Also attached hereto is an executed ASSIGNMENT, along with the required cover sheet, with authorization to charge the \$40.00 to the undersigned attorneys' deposit account.

Respectfully submitted,  
WOLF-GEORG FORSSMANN ET AL.

*Edward R. Freedman*  
Allison C. Collard  
Edward R. Freedman  
Registration No. 26,048  
Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Enclosures: Executed Declaration/Power of Attorney  
Check in the amount of \$65.00  
Copy of the Small Entity Declaration  
Copy of Notification of Missing Requirements  
Cover Sheet with executed Assignment with  
authorization to charge Deposit Account

05/13/1999 and hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 39 CFR 1.10, EL 528395110 US, on May 7, 1999, and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

01 FC:234

65.00 00

*J. Mittendorf*  
Ingrid Mittendorf

09/242254		U.S. APPLICATION NO. 09/242,254		FIRST NAMED APPLICANT SCHULZ, KNARRE		ATTY. DOCKET NO. FORSMANN ET	
COLLARD & ROE 1077 NORTHERN BOULEVARD ROSLYN NY 11576				5611			
				INTERNATIONAL APPLICATION NO. PCT/EP97/04396			
				L.A. FILING DATE 08/13/97		PRIORITY DATE 08/13/96	
				DATE MAILED 04/30/99			

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☒ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☒ Preliminary amendment(s) filed 12 Feb 1999 and \_\_\_\_\_.
  - ☒ Information Disclosure Statement(s) filed 12 Feb 1999 and \_\_\_\_\_.
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_.
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☒ Other: IB 304
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917
  - ☐ Notice of Defective Translation
  - ☐ PTO-875
- FORM PCT/DO/EO/905 (December 1997)

  
Telephone: 703-305-3744